

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.56221 of 2015

Arising Out of PS.Case No. -155 Year- 2015 Thana -MADHUBAN District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Bindeshwari Sahani, son of late Sanful Sahani
 2. Baidhnath Sahani, son of late Sanful Sahani
 3. Gaunor Sahani, son of Ramnath Sahani
 4. Mahendra Sahani, son of Baidhnath Sahani
 5. Tingan Sahani, son of late Mangal Sahani
 6. Navlesh Kumar @ Navlesh Sahani, son of Munna Sahani
 7. Jitendra Sahani @ Jitu Sahani, son of Tingan Sahani
 8. Sanjay Sahani, son of Gaunor Sahani
 9. Janak Sahani, son of Sanful Sahani
 10. Ajay Sahani, son of Gaunor Sahani
 11. Ramnath Sahani, son of Bhorik Sahani
 12. Dharmendra Sahani, son of Janak Sahani

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate

For the Opposite Party/s : Mr. Meena Singh(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 10-12-2015 Initially, it is submitted that petitioner no.11 namely

Ramnath Sahani has been apprehended, hence, this application, as

regards to him, has become infructuous.

Accordingly, this application, so far as it relates to

petitioner no.11, is disposed of.

Heard learned counsels for the petitioners and the

State.

The petitioners are apprehending arrest in a case

registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 435, 436, 504 and 506 of the Indian Penal Code.

It is alleged against the petitioners and others to have set the dwelling house of the informant on fire.

It is submitted by learned counsel for the petitioners that the accusation is omnibus and general and in the background of land dispute the accusation has been levelled. In fact, the house of the informant was never put on fire and a Title Suit No.712 of 2013 pending between the parties. Moreover, a statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent.

Considering the aforesaid facts, let the above named petitioners (except petitioner no.11) be released on provisional anticipatory bail for three months, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Motihari, East Champaran at Motihari in connection with Madhuban P.S. Case No.155 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The provisional bail of the petitioners shall be confirmed by the learned court below on verification of the fact that the house of the informant was not put on fire. But, if it is found otherwise then the petitioners shall surrender and pray for regular bail.



Ashwini/-

(Dinesh Kumar Singh, J)

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